

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN LEBRON : **CIVIL ACTION**

:

:

v.

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: **NO. 13-6416**

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**THE DISTRICT ATTORNEY OF THE
COUNTY OF PHILADELPHIA** :

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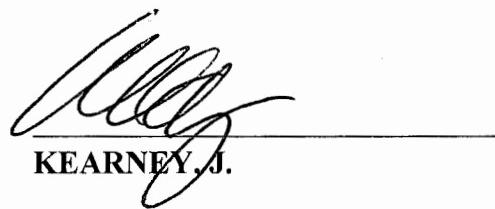
ORDER

AND NOW, this 9th day of June 2015, upon careful and independent consideration of the *pro se* Petition for Writ of Habeas Corpus (ECF Doc. No. 1), Response to the Petition for Writ of Habeas Corpus (ECF Doc. No. 9), Petitioner's Reply (ECF Doc. No. 12), and after review of the May 13, 2015 detailed Report and Recommendation of United States Magistrate Judge Henry S. Perkin (ECF Doc. No. 14), it is **ORDERED**:

1. The May 13, 2015 Report and Recommendation (ECF Doc. No. 14) is **APPROVED** and **ADOPTED**¹;
2. The Petition for Writ of Habeas Corpus is **DENIED** with prejudice and **DISMISSED** without need for an evidentiary hearing; and,

¹ While the learned Magistrate Judge did not specifically address Petitioner's detailed claim the District Attorney made an error and "discovered ... Mr Lebron is correct", we independently find Petitioner's reference is to an admitted clerical error in another case related to a state court conviction regarding a Honda and a "chop shop". We agree with the United States in dismissing this claim as it has nothing to do with the present criminal charge and sentence. *See Response*, ECF Doc. No. 9 at n. 14. Accordingly, Judge Perkin's omission of this argument is not material to the present petition.

3. There is no probable cause to issue a certificate of appealability.



A handwritten signature in black ink, appearing to read "Kearney, J.", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized initial letter.